

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.	1669.0040001/SRL
First Inventor	Alastair V. Ferguson
Title	Methods for Effecting Neuroprotection
Express Mail Label No.	

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- |   |  |
|---|--|
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br/>(Submit an original, and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status.<br/>See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages <u>37</u>]<br/>(preferred arrangement set forth below)<br/>- Descriptive title of the Invention<br/>- Cross Reference to Related Applications<br/>- Statement Regarding Fed sponsored R &amp; D<br/>- Reference to sequence listing, a table,<br/>or a computer program listing appendix<br/>- Background of the Invention<br/>- Brief Summary of the Invention<br/>- Brief Description of the Drawings (if filed)<br/>- Detailed Description<br/>- Claim(s)<br/>- Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>5</u>]</p> <p>5. Oath or Declaration [Total Pages <u>      </u>]<br/>a. <input type="checkbox"/> Newly executed (original or copy)<br/>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br/>(for continuation/divisional with Box 17 completed)<br/>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br/>Signed statement attached deleting inventor(s)<br/>named in the prior application, see 37 CFR §§<br/>1.63(d)(2) and 1.33(b).</p> <p>6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76.</p> | <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program<br/>(Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission<br/>(if applicable, all necessary)<br/>a. <input type="checkbox"/> Computer Readable Form (CRF)<br/>b. Specification Sequence Listing on:<br/>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or<br/>ii. <input type="checkbox"/> paper<br/>c. <input type="checkbox"/> Statements verifying identity of above copies</p> |
|---|--|

**ACCOMPANYING APPLICATION PARTS**

- |  |
|--|
| <p>9. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Two return Receipt Postcard (MPEP 503)<br/>(Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br/>(if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input checked="" type="checkbox"/> Other: <u>Authorization under 37 C.F.R. § 1.136(a)(3) (in duplicate)</u><br/><input type="checkbox"/> Other: <u>The name of the assignee is:</u></p> |
|--|

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

<input type="checkbox"/> Continuation	<input type="checkbox"/> Divisional	<input type="checkbox"/> Continuation-in-Part (CIP)	of prior application No: <u>      </u> / <u>      </u>
Prior application information: Examiner <u>                    </u>			Group/Art Unit: <u>                    </u>

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18. CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label

Customer No. 26111

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME		STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.			
		Attorneys at Law			
ADDRESS					
CITY		STATE		ZIP CODE	
COUNTRY		TELEPHONE		FAX	

NAME (Print/Type)	Steven R. Ludwig	Registration No. (Attorney/Agent)	36,203
SIGNATURE		Date	March 27, 2001

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.  
SKGF Rev 2/14/01 mac 1669004-1sb-05.wpd

03/27/01  
jc860 U.S. PTO

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

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03/27/01  
jc860 U.S. PTO  
09/817229

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ELIZABETH J. HAANES\*\*  
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\*BAR OTHER THAN D.C.  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

March 27, 2001

WRITER'S DIRECT NUMBER: (202) 371-2626

INTERNET ADDRESS: SLUDWIG@SKGF.COM

Commissioner for Patents  
Washington, D.C. 20231

Box: Patent Application

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)  
Appl. No. To be assigned ; Filed: Herewith  
For: **Methods for Effecting Neuroprotection**  
Inventors: Ferguson *et al.*  
Our Ref: 1669.0040001/SRL

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. USPTO Utility Patent Application Transmittal Form PTO/SB/05 (in duplicate);
2. Fee Transmittal Form (PTO/SB/17) (in duplicate);
3. U.S. Utility Patent Application entitled:

**Methods for Effecting Neuroprotection**

and naming as inventors:

Alastair V. Ferguson, and  
Jaideep S. Bains

the application comprising:

- a. specification containing:

Commissioner for Patents  
March 27, 2001  
Page 2

- i. 32 pages of description prior to the claims;
- ii. 4 pages of claims (Claims 1-22);
- iii. a one (1) page abstract;
- b. 5 sheets of drawings: (Figures 1-5);
- c. an Application Data Sheet (37 C.F.R. § 1.76);
4. 37 C.F.R. § 1.136(a)(3) Authorization to Treat a Reply As Incorporating An Extension of Time (in duplicate);
5. Our check No. 30775 for \$746.00 to cover:  
    \$710.00      filing fee for patent application;  
    \$ 36.00      fee for excess claims; and
6. Two (2) return postcards.

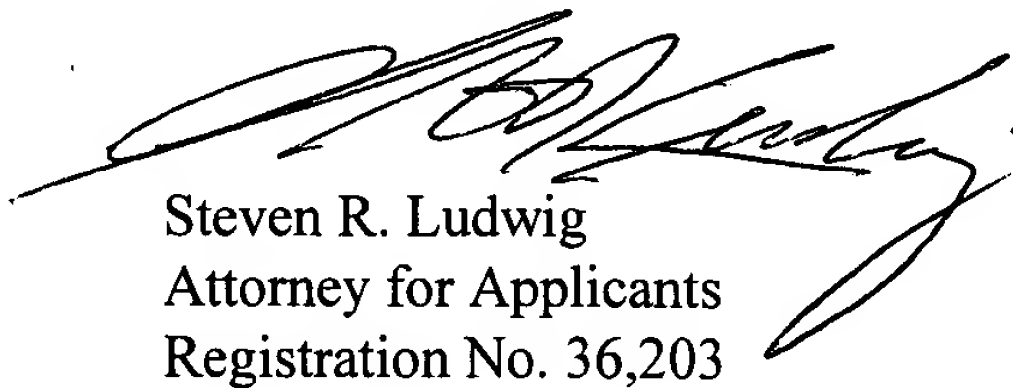
Correspondence should be sent to Customer Number 26111.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

This patent application is being submitted under 37 C.F.R. § 1.53(b) without Declaration and without filing fee.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Steven R. Ludwig  
Attorney for Applicants  
Registration No. 36,203

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	To be assigned
Filing Date	Herewith
First Named Inventor	Alastair V. Ferguson
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	1619.0040001/SRL

TOTAL AMOUNT OF PAYMENT (\$)**746.00****METHOD OF PAYMENT (check one)**

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number **19-0036**  
Deposit Account Name **Sterne, Kessler, Goldstein & Fox P.L.L.C.**

- ☐
- Charge Any Additional Fee Required
- 
- Under 37 CFR §§ 1.16 and 1.17

- ☐
- Applicant claims small entity status
- 
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

- ☒
- Check
- ☐
- Credit card
- ☐
- Money Order
- ☒
- Other\*

Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

**FEE CALCULATION****BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$)					710.00

**2. EXTRA CLAIM FEES**Total Claims 22 - 20\*\* = 2 X 18 = 36.00Indep. Claims 3 - 3\*\* = 0 X 80 = 0.00Multiple Dependent            =           

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
108	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)36.00

\*\* or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

Large Entity Small Entity


Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)          **SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Steven R. Ludwig	Registration No. (Attorney/Agent)	36,203	Telephone	202-371-2600
Signature		Date	March 27, 2001		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
SKGF Rev. 11/13/00 mnac

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ferguson *et al.*

Appl. No. To be assigned

Filed: Herewith

For: **Methods for Effecting  
Neuroprotection**

Confirmation No.

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 1669.0040001/SRL



**Authorization To Treat A Reply As Incorporating An Extension Of  
Time Under 37 C.F.R. § 1.136(a)(3)**

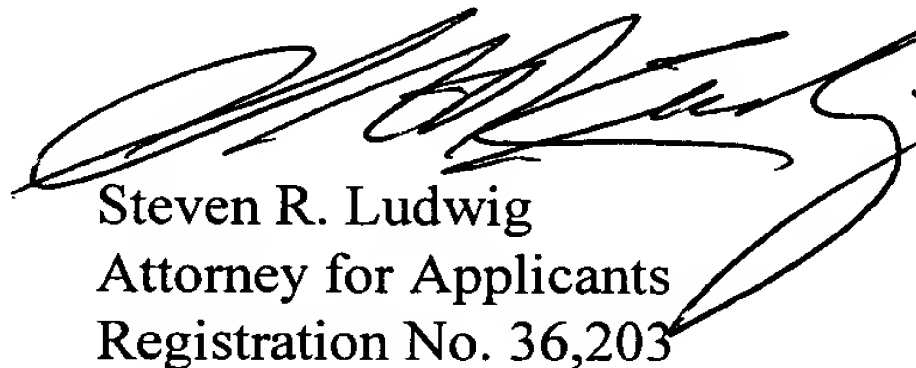
Commissioner for Patents  
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Steven R. Ludwig  
Attorney for Applicants  
Registration No. 36,203

Date: 3/27/01  
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(202) 371-2600

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BRUCE E. CHALKER\*\*  
DUSTIN T. JOHNSON\*\*  
MATTHEW J. DOWD\*\*

\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

July 25, 2001

**WRITER'S DIRECT NUMBER:**  
(202) 371-2626  
**INTERNET ADDRESS:**  
sludwig@skpf.com

Commissioner for Patents  
Washington, D.C. 20231

**Box Missing Parts**

Re: U.S. Utility Patent Application  
Appl. No. 09/817,229; filed March 27, 2001  
For: **Methods for Effecting Neuroprotection**  
Inventors: Ferguson *et al.*  
Our Ref: 1669.0040001/SRL/BLS

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. Fee Transmittal (Form PTO/SB/17) (in duplicate);
2. Copy of "Notice to File Missing Parts of Nonprovisional Application";
3. Declaration, executed by the inventors;
4. Letter to PTO Draftsman: Submission of Formal Drawings;
5. Five (5) sheets of Formal Drawings (Figures 1-5);
6. Return postcard; and
7. Our check no. 32002 for \$130.00 to cover the surcharge for late filing of declaration (37 C.F.R. § 1.16(e)).

09/817,229



Commissioner for Patents

July 25, 2001

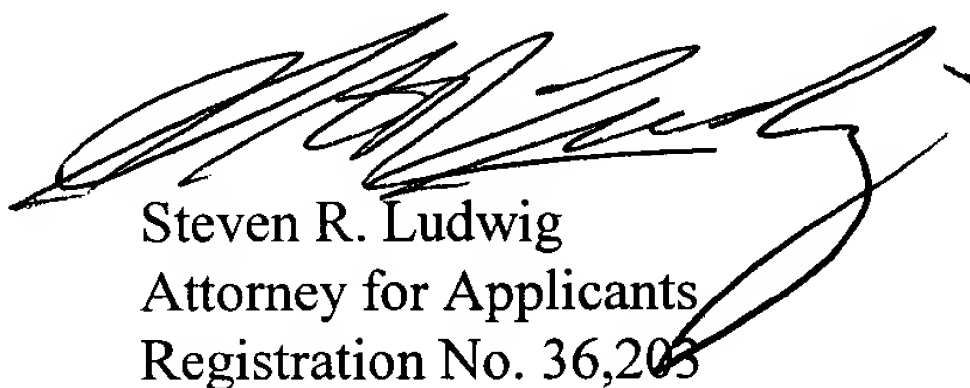
Page 2

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Steven R. Ludwig  
Attorney for Applicants  
Registration No. 36,203

SRL/BLS/dab

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Enclosures

1669-0041mpcov